

RECEIVED

JAN 16 2013

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

12 CR 354

UNITED STATES OF AMERICA )

v. )

LEVAINE TANKSLEY,  
also known as "Boo Man," )  
CHARLES LEMLE,  
MICHAEL HALL,  
DAVID LEWISBEY )

JUDGE RONALD GUZMAN

MAGISTRATE JUDGE MASON  
COUNT ONE

MICHAEL T. MASON  
UNITED STATES MAGISTRATE JUDGE  
12 CR 354  
UNITED STATES DISTRICT COURT

)  
Violations: Title 18, United States  
Code, Sections 922(a)(1)(A),  
(a)(3), (g)(1), 924(n) and 2.

Second Superseding Indictment

FILED

JAN 16 2013

THOMAS G BRUTON  
CLERK, U S DISTRICT COURT

The SPECIAL SEPTEMBER 2011 GRAND JURY charges:

Beginning no later than in or around January 2008, and continuing until on or about  
September 23, 2012, at Chicago, in the Northern District of Illinois, Eastern Division, and elsewhere,

DAVID LEWISBEY,

defendant herein, not being a licensed importer, manufacturer, or dealer, willfully engaged in the  
business of dealing in firearms;

In violation of Title 18, United States Code, Sections 922(a)(1)(A) and 2.

**COUNT TWO**

The SPECIAL SEPTEMBER 2011 GRAND JURY further charges:

On or about April 22, 2012, at Chicago, in the Northern District of Illinois, Eastern Division,  
and elsewhere,

DAVID LEWISBEY,

defendant herein, not being a licensed importer, manufacturer, dealer, or collector of firearms, did  
willfully transport and receive in the State of Illinois, where he resided, firearms purchased and  
otherwise obtained outside of the State of Illinois;

In violation of Title 18, United States Code, Sections 922(a)(3) and 2.

**COUNT THREE**

The SPECIAL SEPTEMBER 2011 GRAND JURY further charges:

On or about April 22, 2012, at Chicago, in the Northern District of Illinois, Eastern Division,  
and elsewhere,

DAVID LEWISBEY,

defendant herein, a resident of Illinois, did travel from Illinois to another State, namely, Indiana, with  
the intent to engage in the unlicensed dealing of firearms in violation of Title 18, United States Code,  
Section 922(a)(1)(A), and did acquire firearms in that other State in furtherance of such purpose;

In violation of Title 18, United States Code, Section 924(n) and 2.

**COUNT FOUR**

The SPECIAL SEPTEMBER 2011 GRAND JURY further charges:

On or about April 22, 2012, at Chicago, in the Northern District of Illinois, Eastern Division,

LEVAINE TANKSLEY,  
also known as "Boo Man,"

defendant herein, previously having been convicted of a crime punishable by imprisonment for a term exceeding one year, did knowingly possess in and affecting commerce, a firearm, namely:

Glock Inc., model 37, .45 caliber pistol, bearing serial number LNH179;  
Glock Inc., model 37, .45 caliber pistol, bearing serial number KZH569; and  
Glock Inc., model 37, .45 caliber pistol, bearing serial number KZH659;

which firearm had traveled in interstate commerce prior to defendant's possession of the firearm;

In violation of Title 18, United States Code, Section 922(g)(1).

**COUNT FIVE**

The SPECIAL SEPTEMBER 2011 GRAND JURY further charges:

On or about April 22, 2012, at Chicago, in the Northern District of Illinois, Eastern Division,

LEVAINE TANKSLEY,  
also known as "Boo Man,"

defendant herein, previously having been convicted of a crime punishable by imprisonment for a term exceeding one year, did knowingly possess in and affecting commerce, a firearm, namely:

FNH USA Model Five Seven 5.7 x28 caliber pistol, bearing serial number 386108414;  
FNH USA Model Five Seven 5.7 x 28 caliber pistol, bearing serial number 386229544;  
Glock Inc., model 22, .40 caliber pistol, bearing serial number BCU921US; and  
Velocity Firearms, model VMAC 9, 9 mm pistol, bearing serial number PV109014;

which firearm had traveled in interstate commerce prior to defendant's possession of the firearm;

In violation of Title 18, United States Code, Section 922(g)(1).

**COUNT SIX**

The SPECIAL SEPTEMBER 2011 GRAND JURY further charges:

On or about April 22, 2012, at Chicago, in the Northern District of Illinois, Eastern Division,

LEVAINE TANKSLEY,  
also known as "Boo Man,"

defendant herein, previously having been convicted of a crime punishable by imprisonment for a term exceeding one year, did knowingly possess in and affecting commerce, a firearm, namely:

Taurus International, Model PT738, .380 caliber pistol, bearing serial number 03328C; Kel-Tec Model P11, 9mm pistol bearing serial number 24169;  
Taurus International, Model PT140, .40 caliber pistol bearing serial number SCO27417;  
Smith & Wesson, Model SW9VE, 9mm pistol bearing serial number PBU4906;

which firearm had traveled in interstate commerce prior to defendant's possession of the firearm;

In violation of Title 18, United States Code, Section 922(g)(1).

**COUNT SEVEN**

The SPECIAL SEPTEMBER 2011 GRAND JURY further charges:

On or about April 22, 2012, at Chicago, in the Northern District of Illinois, Eastern Division,

LEVAINE TANKSLEY, also known as "Boo Man" and  
CHARLES LEMLE,

defendants herein, previously having been convicted of a crime punishable by imprisonment for a term exceeding one year, did knowingly possess in and affecting commerce, a firearm, namely:

Fratelli Tanfoglio, model TA90, 9 mm pistol, bearing serial number G10736;  
A.A. Arms Inc., Model AR9, 9mm pistol bearing serial number 200185;  
Taurus International, Model PT101AF, .40 caliber pistol bearing serial number SNE78979;  
Taurus International, Model PT111, 9mm pistol bearing serial number TRH48249;  
Kahr Arms, Model CW45, .45 caliber pistol bearing serial number SD0053;  
Springfield Armory, Model XD45, .45 ACP caliber pistol bearing serial number US589719;  
Kel-tec Model PF-9 9mm pistol bearing serial number RA943;  
Glock Inc., Model 35, .40 caliber pistol bearing serial number LPN816; and  
Springfield Armory, Model XD45, .45 ACP caliber pistol bearing serial number XD614889;

which firearm had traveled in interstate commerce prior to defendants' possession of the firearm;

In violation of Title 18, United States Code, Section 922(g)(1).

**COUNT EIGHT**

The SPECIAL SEPTEMBER 2011 GRAND JURY further charges:

On or about April 23, 2012, at Chicago, in the Northern District of Illinois, Eastern Division, and elsewhere,

DAVID LEWISBEY,

defendant herein, not being a licensed importer, manufacturer, dealer, or collector of firearms, did wilfully transport and receive in the State of Illinois, where he resided, firearms purchased and otherwise obtained outside of the State of Illinois;

In violation of Title 18, United States Code, Sections 922(a)(3) and 2.

**COUNT NINE**

The SPECIAL SEPTEMBER 2011 GRAND JURY further charges:

On or about April 23, 2012, at Chicago, in the Northern District of Illinois, Eastern Division, and elsewhere,

DAVID LEWISBEY,

defendant herein, a resident of Illinois, did travel from Illinois to another State, namely, Indiana, with the intent to engage in the unlicensed dealing of firearms in violation of Title 18, United States Code, Section 922(a)(1)(A), and did acquire firearms in that other State in furtherance of such purpose;

In violation of Title 18, United States Code, Section 924(n) and 2.

**COUNT TEN**

The SPECIAL SEPTEMBER 2011 GRAND JURY further charges:

On or about April 23, 2012, at Chicago, in the Northern District of Illinois, Eastern Division,

LEVAINE TANKSLEY, also known as "Boo Man" and  
MICHAEL HALL,

defendants herein, previously having been convicted of a crime punishable by imprisonment for a term exceeding one year, did knowingly possess in and affecting commerce, a firearm, namely:

Khar, model CW45, .45 caliber pistol, serial number SE2393;  
Astra, model Constable II, 9 mm pistol, serial number F4982;  
Taurus, model PT140 Pro, 40 caliber pistol, serial number SAR03526;  
Remington, model 870, 12 gauge shotgun, serial number GAUD491758M;  
Glock Inc., model 19, 9 mm pistol, serial number CFT670US;  
Beretta, model 3032 Tomcat, .32 caliber pistol, serial number DAA486239;  
Smith and Wesson, model 38 Special, .38 caliber pistol, serial number CDC86627;  
Mauser-Werke, model unknown, caliber unknown, serial number 0118006;  
Springfield Arms, model XD-9, 9 mm pistol, serial number XD160053;  
Ruger, model SR9C, 9 mm pistol, serial number 332-58107;  
Ruger, model SR9C, 9 mm pistol, serial number 332-53874;  
FNH, model FNP-9, 9 mm pistol, serial number 61BNM02497;  
Beretta, model 32 Tomcat, .32 caliber pistol, serial number DAA421440;  
Taurus, model Millennium PT-111, 9 mm pistol, serial number TAW59939;  
Laseraim, model Series III, .45 caliber pistol, serial number G00480;  
Taurus, model 357 Magnum, .357 caliber revolver, serial number YB61712;  
Ruger, model SR9C, 9 mm pistol, serial number 33257934;  
Ruger, model 380 Auto LCP, .380 caliber pistol, serial number 370-06041;  
Kareen, model MKIII, 9 mm pistol, serial number 96JO1431;  
Kahr, model P40, .40 caliber pistol, serial number Z00733;  
Beretta, model 84F, 9 mm pistol, serial number E08736Y;  
Springfield, model XP45, .45 caliber pistol, serial number US698854; and  
Kel-Tec, model P32, .32 caliber pistol, serial number CWK00;

which firearm had traveled in interstate commerce prior to defendants' possession of the firearm;

In violation of Title 18, United States Code, Section 922(g)(1).

**COUNT ELEVEN**

The SPECIAL SEPTEMBER 2011 GRAND JURY further charges:

On or about May 4, 2012, at Chicago, in the Northern District of Illinois, Eastern Division,

LEVAINE TANKSLEY,  
also known as "Boo Man,"

defendant herein, previously having been convicted of a crime punishable by imprisonment for a term exceeding one year, did knowingly possess in and affecting commerce, a firearm, namely:

Raven Arms Model MP-25, .25 caliber pistol, bearing serial number 1256414; European American Armory Model Witness, .45 caliber pistol, bearing serial number AE38940;

Colt Model Python, .57 caliber revolver, bearing serial number E22083; European American Armory Model Witness -P, .45 caliber pistol, bearing serial number EA13004; and

Harrington and Richardson Model 349 Gamester, 12 gauge shotgun, bearing no serial number;

which firearm had traveled in interstate commerce prior to defendant's possession of the firearm;

In violation of Title 18, United States Code, Section 922(g)(1).

**COUNT TWELVE**

The SPECIAL SEPTEMBER 2011 GRAND JURY further charges:

On or about May 5, 2012, at Chicago, in the Northern District of Illinois, Eastern Division,

LEVAINE TANKSLEY,  
also known as "Boo Man,"

defendant herein, previously having been convicted of a crime punishable by imprisonment for a term exceeding one year, did knowingly possess in and affecting commerce, a firearm, namely:

Heckler and Koch Model USP40, .40 caliber pistol;  
Czech Small Arms vz.61 Scorpion .32 ACP pistol, American Arms Inc. Model Spectre HC .40 cabliber pistol;  
Diamondback Firearms Model DB380, .380 caliber pistol; and  
Smith and Wesson Model 3913, 9 mm pistol;

which firearm had traveled in interstate commerce prior to defendant's possession of said firearms;

In violation of Title 18, United States Code, Section 922(g)(1).

A TRUE BILL:

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FOREPERSON

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ACTING UNITED STATES ATTORNEY